

**Speech-Language Pathology and Audiology Board**

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**STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BOARD
SAN FRANCISCO STATE UNIVERSITY
1600 BURK HALL #503
SAN FRANCISCO, CA 94132
MEETING MINUTES**

**JULY 10, 2003
SPEECH-LANGUAGE PATHOLOGY PRACTICE COMMITTEE
MEETING MINUTES**

Committee Members Present

James Till, PhD, Chairperson
Bruce Gerratt, PhD

Committee Members Absent

Vivian Shannon, MA
Paul Donald, MD

Board Members Present

Alison Grimes, AuD
Rebecca Binge, MA

Guests Present

Carol Murphy, California Speech-Language-Hearing Association

Staff Present

Annemarie Del Mugnaio, Executive Officer
Sherry Washington, MA
Lori Pinson, Staff Analyst
George Ritter, Staff Counsel

I. Call to Order

Chairperson Till called the meeting to order at 3:34 p.m.

II. Introductions

Those present introduced themselves.

III. Continuing Professional Development- Speech-Language Pathology
A. Development of Continuing Professional Development (CPD) Reference Materials for Speech-Language Pathology Courses.

Mr. Till stated that the first item open for discussion was the consideration of whether developing reference materials outlining relevant content areas for speech-language pathology would be beneficial for staff in reviewing and approving courses for continuing professional development (CPD).

Ms. Del Mugnaio stated that the purpose of crafting some form of an outline was to assist staff with both reviewing CPD provider applications as well as course completion documents submitted by licensees in response to CPD audits.

Ms. Del Mugnaio explained that the first-round audit has been especially difficult for staff primarily because many of the audit responses contained coursework that was not “clearly” practice specific and/or the course completion documents included generic course titles that offered no indication of the course content. She stated that, in some cases, there was a direct link between the course offering and the practice of speech-language pathology but staff was unable to make that determination for lack of professional knowledge. She stated that if additional course information was necessary, staff would request that information from the course provider. If the additional information submitted covered topics that were not familiar to staff, staff would seek guidance from a professional member of the Board.

Ms. Del Mugnaio referenced a table developed by staff that listed the courses licensees participated in as submitted in their CPD audit materials.

A general discussion ensued regarding the course table and that the generic terms used as course titles made it difficult for even the professional members to make a judgment on whether the courses were relevant to the practice.

Ms. Washington pointed out that some courses cover a multitude of health-related topics and that these types of courses must be reviewed carefully. For example, she stated that a course may cover the patient-focused care model where a multi-disciplinary team approach was outlined and covered the practices of speech-language pathology, occupational therapy, and physical therapy. The course would be practice relevant since the speech-language pathologist must understand the strategies of the other health practitioners to provide concurrent services to the patient.

Ms. Washington stated that it may be more effective to educate the CPD providers about relevant course content as applied to the CPD requirements for licensees.

Ms. Del Mugnaio explained that there have been problems with a handful of providers that are offering courses not relevant to the practices of speech-language pathology and/or audiology. She stated that despite the staff’s attempts to educate the few providers about their generic course offerings, they have continued to award credit to licensees for courses that cover broad health-related issues, such as “Fibromyalgia” or

“reflexology.” She stated that a few providers have not been renewed due to compliance issues.

Mr. Till suggested that it may be difficult to craft a document that was inclusive in terms of identifying all relevant content areas and what constitutes an acceptable level of professional training. He further stated that the current process of bringing individual cases of appeal before the Board may be the most effective avenue of deciding whether a course is acceptable.

Ms. Grimes stated that she believes the Board must take on the responsibility of approving CPD courses in order to provide a clear understanding of acceptable course offerings to both licensees and providers and to eliminate the guesswork for staff.

Ms. Del Mugnaio explained that the Board would need to change the existing CPD regulations and possibly the enabling statute to authorize the Board to approve courses. She further stated that she would need to research the fiscal and administrative impact the change would have on the Board’s operation.

Ms. Washington stated that one option may be to seek licensed professional volunteers to review courses and, in so doing, minimize the impact both financially and in terms of increased workload for staff.

Ms. Del Mugnaio committed to reporting her findings regarding instituting the change to approve CPD courses at the next Board meeting.

Mr. Gerratt inquired how this transition would affect individuals that may be in the middle of their renewal cycle when the regulation change takes effect.

Ms. Del Mugnaio responded that there would need to be some form of a grandfather clause or a 6-month grace period for individuals to comply with the new requirements.

B. Consider Appeal Regarding the Denial for Continuing Professional Development Credit for Course Entitled “Animal Assisted Therapy.”

Mr. Till stated that the Committee is charged with determining whether the denial by staff for course credit for the course entitled “Animal Assisted Therapy” as applicable to the continuing professional development (CPD) requirements for license renewal should be reconsidered.

Ms. Del Mugnaio stated that both she and Ms. Pinson had communicated to the licensee the reasons for the denial and explained that the course description and objective did not include practice relevant information. Ms. Del Mugnaio stated that she further explained to the licensee that although the course was approved as continuing education by the American Speech-Language-Hearing Association (ASHA), it did not mean that the course would “automatically” meet state licensure requirements.

Ms. Del Mugnaio stated that Ms. Pinson provided the licensee with a highlighted copy of the specific regulations that refer to the course content requirements. Ms. Pinson also explained to the licensee that courses taken for the purpose of license renewal should not only be offered by approved providers but must also directly relate to the scope of practice for which an individual holds the state license. In this case, the second condition was not met.

Ms. Washington stated that courses involving pet therapy apply sensory integration principles that have proven beneficial for low functioning clients such as those with Asberger's Syndrome or Autism. However, the course doesn't appear to link this type therapy to the assessment and treatment of speech-language pathology in that it does not address how to use pet therapy to elicit better communication.

Ms. Carol Murphy, California Speech-Language-Hearing Association member, shared her personal experience with courses in "horse therapy" and stated that while the courses provided in-depth information on human anatomy and physiology, the techniques used were not necessarily those of professional therapy. She further stated that, in her experience, the interaction with the animals provides a positive emotional experience for the children but is not a direct treatment for a medical condition.

Mr. Till agreed that the basic course objectives were too general and not practice specific.

Ms. Bingea stated that the course instructors were not speech-language pathologists and therefore, would not have the professional background to offer training in speech and language strategies.

Mr. Till confirmed the general consensus amongst the Committee members that the denial for the course in questions should be upheld.

Ms. Washington suggested that a letter be sent to the course provider informing them that the course was considered before the Board and stating the reasons that the Board did not approve the course for CPD for speech-language pathology. She stated that by informing the provider of the Board's action, the provider might alter the course in the future to target the speech-language pathology licensing population.

IV. Status of the California Board of Occupational Therapy's proposed regulations regarding "Swallowing Assessment, Evaluation, or Intervention."

Mr. Till introduced the discussion item and referenced the Board of Occupational Therapy's (BOT) proposed regulation materials in the meeting packets.

Ms. Del Mugnaio informed the Committee that the Board letter outlining its points of opposition to the BOT regulations was formulated initially by Ms. Washington with input from Mr. Gerratt and herself. She stated that the letter was sent to the BOT President, Ms. Luella Grangaard on June 10, 2003.

Ms. Del Mugnaio stated that she also provided brief oral testimony at the regulation hearing and reiterated the Board's request that the BOT withdraw the regulation proposal and work with the Board to rectify the areas of concern. She informed the Board that the attendance at the regulation meeting was minimal, most of who were practicing occupational therapists confused by the proposed requirements for advanced certification.

Ms. Del Mugnaio also informed the Board of the upcoming BOT Regulatory Committee Meeting to be held July 14, 2003 at the Embassy Suites Hotel - LAX. She suggested that a speech-language pathology board member be present for the meeting to answer any questions relative to our official comments.

Ms. Washington agreed to attend the meeting. She mentioned that she has been asked by several of her colleagues whether speech-language pathologists are obligated to supervise occupational therapists as provided in the proposed regulations. Ms. Washington further stated that some practitioners believe that the proposed regulations are already in effect. She indicated that she has been trying to clarify the process with employees at Cedars-Sinai by informing them that licensed speech-language pathologists are under no obligation to serve as a supervisor for occupational therapists nor are the proposed regulations in effect.

Ms. Del Mugnaio stated that she would continue to closely monitor the progress of the regulation package.

V. Discussion of the Services Provided by “Behavior Analysts (Behaviorists)” and “Educational Therapists” and Potential for Unlicensed Activity – (Public Speaker Carol Murphy Chair, Unlicensed Practitioner Task Force, California Speech-Language-Hearing Association)

Mr. Till stated that the Committee would be reviewing and developing an appropriate course of action to address the potentially misleading advertisements by some educational therapists and behaviorists. He referenced materials included in the meeting packets that included Internet pages where specific groups of educational therapists and behaviorists were advertising their services and credentials using speech and language terminology.

Mr. Till also acknowledged Ms. Carol Murphy as the guest speaker who attended the meeting to discuss her professional role in addressing the concerns regarding these misleading advertisements.

Ms. Del Mugnaio stated that the Board had discussed this issue at a prior meeting held on October 26, 2001 and indicated that she provided those meeting minutes in the meeting packets as a reference. She stated that at the prior meeting, the Board did not have specific information regarding actual services or misleading or false advertisements by professionals in these fields. As such, the Board did not take a formal position regarding the potential overlap in professional services that may exist between educational therapists, behaviorists, and speech-language pathologists. Instead, the

Board decided that further research should be conducted. Ms. Del Mugnaio stated that at this point, the Committee has factual information in the form of a complaint submitted by a few professional members of the California Speech-Language-Hearing Association (CSHA).

Ms. Carol Murphy stated that her intent in addressing the Board was to request that the Board develop some type of informational material that would educate educational therapists and behaviorists about the regulations for the practice of speech-language pathology informing them that there are specific state requirements that must be adhered to in order to provide speech and hearing services and to advertise such services to the public.

Ms. Murphy stated that she is an educational therapist and is intimately familiar with the professional training offered in the universities. She stated that the entire training is composed of a 30-unit extension course and is in no way equivalent to the extensive education and training required to be licensed as a speech-language pathologist.

Ms. Murphy stated that she believes there is a lack of general awareness by many educational therapists that the manner in which they represent their services to the public may violate state laws. She stated that the Association of Educational Therapy should be informed of this fact so that the organization could address the issue with their membership. She further stated that CSHA has proposed drafting such a letter and would like the support of the Board.

Ms. Washington stated that in many communities, professionals other than speech-language pathologists may be providing speech and language services because of the shortage of speech-language pathologists to serve the population in need of therapy. She stated that some consumers are unaware of the difference in professional training and are pleased that they are provided some level of intervention.

Ms. Grimes stated that she is aware of the problem within the regional centers where unlicensed individuals are utilized to provide speech therapy because either the limited availability of the speech-language pathologists or lack of adequate funding.

Mr. Ritter stated that after conducting a cursory review of the information provided in the meeting packets, there is a clear violation of law in terms the statements made by these individuals regarding their speech-language pathology background and professional services.

Ms. Del Mugnaio asked the Committee and Ms. Murphy if an appropriate course of action would be to draft a letter with the assistance of legal counsel educating the involved parties of the laws and regulations that prohibit this type of professional representation.

Ms. Washington inquired about a separate letter that could be drafted to the relevant professional associations requesting that these organizations help disseminate information regarding prohibited advertising to their membership.

A general discussion ensued as to the tone and message of the two letters. The Committee also discussed who should receive the letters and the mechanism for identifying the involved parties.

Mr. Till confirmed consensus amongst the Committee members that Ms. Del Mugnaio would work with Mr. Ritter to draft two separate letters, one to individuals directly involved in the misleading advertising, and the other to the relevant professional associations informing the organization of this prevalent matter. Further, that Ms. Del Mugnaio would work with the CSHA task force to identify the individuals that are advertising inappropriately.

Ms. Del Mugnaio stated that she was also scheduled to address the CSHA taskforce regarding this matter on July 19, 2003.

There being no further discussion, Chairperson Till adjourned the meeting at 5:44 p.m.

Annemarie Del Mugnaio, Executive Officer